

IN THE CLAIMS:

Please cancel claims 1 and 2; Please amend claims 5 and 6 and add claims 7-18 as follows:

1. (Canceled)
2. (Canceled)
3. (Original) An optical disc recording apparatus, comprising:
 - an optical pickup that irradiates a laser light onto a label surface of an optical disc;
 - a servo device that performs focus servo for maintaining an approximately fixed distance between the optical disc and the optical pickup and outputs a signal showing whether the focus servo fails or not;
 - a position moving device that moves an irradiating position of the optical pickup on the optical disc;
 - a laser power controller that controls a laser power of the laser light in accordance with input data to be recorded;
 - a detector that detects whether the focus servo fails or not in accordance with the signal output by the servo device;
 - an obtaining device that obtains a distance and an angle as a benchmark position, the distance being from an optical disc center to an irradiating position of the laser light, and the angle being between a baseline from the optical disc center to an outer periphery and a line from the optical disc center to the irradiating position, when a failure of the focus servo is detected by the detecting device; and
 - a controller that controls the laser power controller to pause the control of the laser power in accordance with the data to be recorded and thereafter controls the position moving device and the laser power controller to restart the control of the laser power in accordance with the data to be recorded from the benchmark position as a restarting position.

4. (Original) An optical disc recording apparatus, comprising:

an optical pickup that irradiates a laser light onto a label surface of an optical disc;

a servo device that performs focus servo for maintaining an approximately fixed distance between the optical disc and the optical pickup and outputs a signal showing whether the focus servo fails or not;

a position moving device that moves an irradiating position of the optical pickup on the optical disc;

a laser power controller that controls a laser power of the laser light in accordance with input data to be recorded;

a detector that detects whether the focus servo fails or not in accordance with the signal output by the servo device;

an obtaining device that obtains a distance and an angle as a benchmark position, the distance being from an optical disc center to an irradiating position of the laser light, and the angle being between a baseline from the optical disc center to an outer periphery and a line from the optical disc center to the irradiating position, when a failure of the focus servo is detected by the detecting device; and

a controller that controls the laser power controller to pause the control of the laser power in accordance with the data to be recorded and thereafter controls the position moving device and the laser power controller to restart the control of the laser power in accordance with the data to be recorded from a position shifted by a predetermined moving amount from the benchmark position as a restarting position.

5. (Currently Amended) An optical disc recording method, comprising ~~the steps of:~~

(a) irradiating a laser light onto a label surface of an optical disc;

(b) performing focus servo for maintaining an approximately fixed distance between the optical disc and the optical pickup and outputting a signal showing whether the focus servo fails or not;

(c) moving an irradiating position of the optical pickup on the optical disc;

(d) controlling a laser power of the laser light in accordance with input data to be recorded;

(e) detecting whether the focus servo fails or not in accordance with the signal output at the step (b);

(f) obtaining a distance and an angle as a benchmark position, the distance being from an optical disc center to an irradiating position of the laser light, and the angle being between a baseline from the optical disc center to an outer periphery and a line from the optical disc center to the irradiating position, when a failure of the focus servo is detected at the step (e); and

(g) executing the step (d) to pause the control of the laser power in accordance with the data to be recorded and thereafter executing the step (c) and the step (d) to restart the control of the laser power in accordance with the data to be recorded from the benchmark position as a restarting position.

6. (Currently Amended) An optical disc recording method, comprising ~~the steps of~~:

(a) irradiating a laser light onto a label surface of an optical disc;

(b) performing focus servo for maintaining an approximately fixed distance between the optical disc and the optical pickup and outputting a signal showing whether the focus servo fails or not;

(c) moving an irradiating position of the optical pickup on the optical disc;

(d) controlling a laser power of the laser light in accordance with input data to be

recorded;

(e) detecting whether the focus servo fails or not in accordance with the signal output at the step (b);

(f) obtaining a distance and an angle as a benchmark position, the distance being from an optical disc center to an irradiating position of the laser light, and the angle being between a baseline from the optical disc center to an outer periphery and a line from the optical disc center to the irradiating position, when a failure of the focus servo is detected at the step (e); and

(g) executing the step (d) to pause the control of the laser power in accordance with the data to be recorded and thereafter executing the step (c) and the step (d) to restart the control of the laser power in accordance with the data to be recorded from a position shifted by a predetermined moving amount from the benchmark position as a restarting position.

7. (New) The optical disc recording apparatus according to claim 3, wherein the optical pickup includes:

a diffraction grating;

a laser diode for radiating laser light;

an optical system for concentrating the laser light on the surface of the optical disc; and

a light receiving device for receiving a reflection light of the irradiated laser light.

8. (New) The optical disc recording apparatus according to claim 3, further including a frame memory to store image data of a visible image to be formed on the optical disc.

9. (New) The optical disc recording apparatus according to claim 3, further including:

a buffer memory to store recording data to be recorded on the recording surface of the optical disc;

an encoder to encode the recording data read from the buffer memory; and

a strategy device to perform time axis correction on the encoded recording data.

10. (New) The optical disc recording apparatus according to claim 9, wherein the encoder uses Eight to Fourteen Modulation (EFM) to encode the recording data.

11. (New) The optical disc recording apparatus according to claim 4, wherein the optical pickup includes:

a diffraction grating;

a laser diode for radiating laser light;

an optical system for concentrating the laser light on the surface of the optical disc; and

a light receiving device for receiving a reflection light of the irradiated laser light.

12. (New) The optical disc recording apparatus according to claim 4, further including:

a buffer memory to store recording data to be recorded on the recording surface of the optical disc;

an encoder to encode the recording data read from the buffer memory; and

a strategy device to perform time axis correction on the encoded recording data.

13. (New) The optical disc recording apparatus according to claim 12, wherein the encoder uses Eight to Fourteen Modulation (EFM) to encode the recording data.

14. (New) The optical disc recording apparatus according to claim 4, further including a frame memory to store image data of a visible image to be formed on the optical disc.

15. (New) The optical disc recording method according to claim 5, further comprising:

storing recording data to be recorded on the recording surface of the optical disc;

encoding the recording data read from a buffer memory; and

performing time axis correction on the encoded recording data.

16. (New) The optical disc recording method according to claim 15, wherein Eight to

Fourteen Modulation (EFM) is used to encode the recording data.

17. (New) The optical disc recording method according to claim 6, further comprising:
storing recording data to be recorded on the recording surface of the optical disc;
encoding the recording data read from a buffer memory; and
performing time axis correction on the encoded recording data.

18. (New) The optical disc recording method according to claim 17, wherein Eight to
Fourteen Modulation (EFM) is used to encode the recording data.

///

///

///

///

///

///

///

///

///

///

///

///

///

///